



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

ARNESS ET AL.

Serial No. 10/630,750

Filed: July 31, 2003

For: AIRFOIL SHAPE FOR A TURBINE NOZZLE

Atty. Ref.: 839-1428

TC/A.U.: 3745

Examiner: Unassigned

\* \* \* \* \*

March 17, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ATTENTION: LICENSING AND REVIEW**

Sir:

**SUBMISSION OF NASA DECLARATION**

In response to the informal requirement, a NASA Declaration for the above-identified patent application is hereby submitted along with a copy of the informal requirement.

Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

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LICENSING DIVISION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Atty. Ref.: 839-1428

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\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ATTN: LICENSING AND REVIEW**

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MAR 2 2004  
PATENT REVIEW

**DECLARATION**

ok

We, BRIAN PETER ARNESS, ROBERT ROMANY BY, GUNNAR LEIF SIDEN, POORNATHRESAN KRISHNAKUMAR, BRUCE LOREN SMITH and PETER CHRISTOPHER SELENT, whose residences are set forth below next to our names, do hereby declare as follows:

1. That we made and conceived the invention described in the U.S. patent application identified above.
2. That we made and conceived this invention while employed by GENERAL ELECTRIC COMPANY, a corporation of New York, and to whom we have assigned all right, title and interest by virtue of a previously-filed Assignment document; that the invention is related to the work we were employed to perform and was made within the scope of our duties; that the invention was made during working hours and with the use

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Serial No.

of facilities, equipment, materials, funds, information and services of our employer,  
GENERAL ELECTRIC COMPANY.

3. That to the best of our knowledge and belief the invention was not made  
(conceived or first actually reduced to practice) under terms of any contract, subcontract  
or arrangement entered into with or for the benefit of the National Aeronautics and Space  
Administration.

4. We declare further that all statements made herein of our own knowledge are  
true and that all statements made on information and belief are believed to be true; and  
further that these statements were made with the knowledge that willful false statements  
and the like so made are punishable by fine or imprisonment, or both, under Section 1001  
of Title 18 of the United States Code and that such willful false statements may  
jeopardize the validity of the application or any patent issuing thereon.

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839-1428  
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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/630,750	07/31/03	ARNESS, ET AL.	839-1428

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EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE	

DATE MAILED: **MAILED**

**MAR 10 2004**

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A  
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-4119.

6103305-0241

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE  
ATTENTION OF LICENSING AND REVIEW**